

CHAPTER 17 – WILD AND SCENIC RIVERS

17.1 RESOURCE OVERVIEW

The Wild and Scenic Rivers Act of 1968 (WSRA) established legislation for a National Wild and Scenic Rivers System (NWSRS) to protect and preserve designated rivers throughout the nation in their free-flowing condition and to protect and preserve their immediate environments. The WSRA includes policy for managing designated rivers and created processes for designating additional rivers for the NWSRS. Section 5(d) of the Act directs federal agencies to consider the potential for national wild, scenic, and recreational river areas in all planning for the use and development of water and related land resources. A wild and scenic river (WSR) review is being conducted as part of the current Bureau of Land Management (BLM), Moab Field Office (FO) resource management planning process.

The first phase of the WSR review is to inventory all potentially eligible rivers within the planning area to determine which of those rivers are eligible for consideration as part of the NWSRS. To be eligible, rivers must be free-flowing and possess at least one outstandingly remarkable value (ORV). ORVs are evaluated in the context of regional and/or national significance and must be river-related. Each river/segment determined to be eligible is then given a tentative classification based on the current level of human development associated with that river/segment.

In the second phase of the WSR review, eligible rivers are taken through the land use planning process of the resource management plan (RMP) to determine their "suitability" for designation as WSRs. One RMP planning alternative will consider all eligible rivers/segments as suitable, another alternative will consider no eligible rivers/segments as suitable, and other alternatives will consider some rivers/segments as suitable and others as not suitable. "Suitability" determinations will be made in the Record of Decision (ROD) for the RMP. Rivers/segments found to be suitable are then managed under specified guidelines to protect the free-flowing nature of those rivers/segments and to protect their identified ORVs.

Finally, the "suitable" river/segment determinations are reported to Congress. There is no specific time requirement for the completion of this phase; however, it is assumed that reporting will be done some time following completion of the RMP. Only the U.S. Congress (or the Secretary of the Interior, upon request by the state) can designate a river as part of the NWSRS.

17.2 SPECIFIC MANDATES AND AUTHORITY

The following documents were used in guiding the WSR planning process through the eligibility/Tentative Classification phase:

- **Interagency Wild and Scenic Rivers Coordination Council, 1982.** Various technical papers relating to evaluation of WSRs (website at: www.nps.gov/rivers/publications.html).
- **Memorandum of Understanding (MOU), Governor (State of Utah), Regional Forester (Intermountain Region B, U.S. Forest Service), State Director (BLM), Regional Director (Rocky Mountain Region B, National Park Service), 1997.** Defines coordination between federal and state agencies and local governments for planning efforts, public education and outreach, and conducting studies.
- **USDI-USDA Guidelines for Eligibility, Classification, and Management of River Areas, 1982.** Until 1988 this was the only guidance available to the BLM.

- **Wild and Scenic Rivers Act of 1968, P.L. 90-542, as amended (WSRA).** Congressional legislative direction for WSR planning.
- **Wild and Scenic Rivers—Policy and Program Direction for Identification, Evaluation and Management, BLM Manual 8351, 1992, changes 1993 (Sections 1601.03, I; 1623.41A 2d).** Establishes BLM policy, program direction, and procedural standards for fulfilling requirements of the WSRA.
- **Wild and Scenic River Review in the State of Utah, Process and Criteria for Interagency Use, 1996.** The published document outlines the process and criteria for achieving consistency among the BLM, National Park Service (NPS), and Forest Service planning efforts for WSR inventory methodologies, subsequent eligibility determinations and reviews, and public involvement and local government coordination.

The following key points regarding the nature of ORVs as outlined in the WSRA are addressed specifically:

- All values assessed should be directly river related.
- Resources should be at least regionally significant.
- Features that are regionally exemplary, as well as those that are rare or unique, should be considered.

17.3 CURRENT MANAGEMENT PRACTICES

The WSRA authorized 27 rivers for study as potential components of the NWSRS. These rivers are listed in Section 5(a) of the Act. Amendments to the law have brought the total number of studies authorized to 138. One of the studies includes the Colorado River segment from its confluence with the Dolores River in Utah, upstream to a point in Colorado 19.5 miles from the Utah-Colorado border. The portion of the "study river" that is in Utah falls within the planning area. On December 17, 1976, the Dolores River from its confluence with the Colorado River upstream to Gateway, Colorado, was added to the study. This addition was at the request of Governor Rampton of Utah and Governor Lamm of Colorado, and was agreed to by the Secretary of the Interior. The Utah portion of the Dolores River also falls within the planning area.

The chronology of events regarding the Wild and Scenic status of the Colorado and Dolores Rivers in Utah is as follows:

1975: P.L. 93-621 designated 54.5 miles of the Colorado River for study.

1976: The Dolores River was added to the study area.

1979: An NPS, State of Utah, and BLM study team completed an EIS for the Colorado and Lower Dolores Rivers. The team concluded that all studied sections of the Colorado and Dolores Rivers were eligible for designation under the WSRA and contained outstandingly remarkable scenic, geologic, recreational, and wildlife values. These values are outlined in Table 17-1. Various segments of the rivers were classified as qualifying for wild, scenic, or recreational designation. The designations are listed in Tables 17-2 and 17-3.

1979: The State of Utah conducted an inventory and analysis of all of its rivers prior to making its recommendations. The State of Colorado supported designation of the rivers within its borders.

Table 17-1. Outstandingly Remarkable Values (ORVs) Determined in the 1979 Wild and Scenic River (WSR) Study of the Colorado and Lower Dolores Rivers

Segment	Total River Miles	ORVs						Eligibility for NWSRS
		Scenic	Recreation	Geologic	Fish & Wildlife	Historic	Archaeological	
Colorado River								
Loma Launch Site to Westwater Canyon	27.7	Yes	Yes	Yes	Yes	No	Yes	Eligible
Westwater Canyon to Rose Ranch	13.0	Yes	Yes	Yes	Yes	No	Yes	Eligible
Rose Ranch to Cisco Wash	11.0	No	No	No	Yes	No	Yes	Eligible
Cisco Wash to Dolores River	4.0	No	No	No	Yes	No	Yes	Eligible
Dolores River								
Gateway to Fisher Creek	14.0	Yes	Yes	Yes	Yes	No	No	Eligible
Fisher Creek to Bridge Canyon	6.0	Yes	Yes	Yes	Yes	No	No	Eligible
Bridge Canyon to Colorado River	11.0	No	Yes	Yes	Yes	No	No	Eligible

Source: NPS 1979.

Table 17-2. Colorado River Classification Levels Determined in the 1979 WSR Study

Segment	Length (Total River Miles)	Classification
Loma Launch Site to Westwater Canyon	27.7	Scenic
Westwater Canyon to Rose Ranch	13.0	Wild
Rose Ranch to Cisco Wash	11.0	Scenic
Cisco Wash to Dolores River	4.0	Recreational

Source: NPS 1979.

Table 17-3. Dolores River Classification Levels Determined in the 1979 WSR Study

Segment	Length (Total River Miles)	Classification
Gateway to Fisher Creek	14.0	Scenic
Fisher Creek to Bridge Canyon	6.0	Wild
Bridge Canyon to Colorado River	11.0	Scenic

Source: NPS 1979.

- 1981: The Bureau of Outdoor Recreation/NPS submitted the 1979 study findings to the U.S. Department of the Interior (USDI).
- 1983: Secretary Watt sent a negative recommendation to President Reagan based on the cost of scenic easement acquisitions and lack of public support for designation.
- 1985: President Reagan sent to Congress a negative recommendation for all river segments considered by the study.
- 1987: Congressman Howard Nielson (Utah) hosted a fact-finding trip through Westwater Canyon.
- 1987: Letters supporting designation of Westwater Canyon under the WSRA were submitted to Congressman Nielson by the Western River Guides Association, the Utah Guides and Outfitters, the BLM Multiple-use Advisory Council, the Grand County Travel Council, the Utah Travel Council, the Grand County Commission, the City of Moab, and the Moab Chamber of Commerce.
- 1988: The Grand County Commission withdrew its support for designation of Westwater Canyon.
- 1988: Governor Bangerter (in a letter to the Grand County Travel Council) deferred taking a position on the designation of Westwater Canyon under the WSRA until there was local agreement on the issue.
- 1988: Congress authorized funding under the Land and Water Conservation Act for acquisition of additional land adjacent to the Westwater Ranger Station and for acquisition of land at the Cisco Take-out to provide for public access.
- 1988: The USDI withdrew 4,707.44 acres within Westwater Canyon from surface entry and mining for a period of 5 years to protect recreational, scenic, and cultural values. This withdrawal covers the main portion of Westwater Canyon.
- 1989: The Grand County Commission requested that members of the Utah Congressional delegation designate the 12 miles of the Colorado River within Westwater Canyon as a Wild River under the WSRA. The Commission letter of support stated, "There is no doubt that this section of the river more than satisfies the necessary characteristics of this designation and we all feel that you should proceed with all haste."
- 1990: Congressman Nielson and Senator Garn introduced legislation to designate 12 miles of the Colorado River within Westwater Canyon as a Wild River. The bills passed both houses near the end of the 101st Congress (the Senate bill included an additional unrelated provision about minerals on public lands). As the Senate bill passed only four days before the end of the Congress, it was not possible to schedule a conference committee meeting, and the legislation died. Congressman Nielson retired at the end of the 101st Congress.
- 1995: The USDI withdrew the above-mentioned 4,707.44 acres within Westwater Canyon from surface entry and mining for 50 years.
- 1998: The USDI withdrew an additional 3,385.9 acres covering side drainages in Westwater Canyon from surface entry and mining for 20 years.

17.4 IDENTIFICATION OF ELIGIBLE RIVERS BY THE INTERDISCIPLINARY (ID) TEAM

A team of specialists from the Moab FO began the first step of the WSR review process in August of 2002. Team members agreed to use Ecological Subregions (USFS ECOMAP, 1993, adapted from Bailey 1994). The data were to be organized according to the fourth level of Hydrologic Unit Codes (HUC). The initial screen for rivers would be determined by reviewing the streams found on 1:100,000 maps. The rivers from the 1979 study (i.e., Colorado and Lower Dolores Rivers) would be looked at again in the planning process (see Tables 17-1 through 17-3). Team members used the *Wild and Scenic River Review in the State of Utah, Process and Criteria for Interagency Use* (BLM 1996; also known as the "Blue Book") to guide them through the eligibility process.

Streams were grouped by drainage within each HUC and evaluated to determine whether they were free flowing. The next step was to analyze free-flowing drainages for significant river-related resource values or features for comparison with values present in similar streams within the Ecological Subregion/sections. Streams or portions of streams with the most significant values and those with multiple significant values rated the highest for ORVs. Streams with ORVs were reviewed and given a tentative classification based on the criteria listed in the classification table from *Wild and Scenic River Review in the State of Utah* (BLM 1996).

A tentative classification of *Wild*, *Scenic*, or *Recreational* was determined for each eligible river/segment, based on the level of associated human development.

- A *Wild* river is free of impoundments, with shorelines or watersheds essentially primitive, and with unpolluted waters.
- A *Scenic* river may have some development, and may be accessible in places by roads.
- A *Recreational* river is accessible by road (or railroad), may have more extensive development along its shoreline, and may have undergone some impoundment or diversion in the past.

17.4.1 Documentation Process

Sources of data included:

- Map(s) of the planning area at 1:100,000 scale
- National Rivers Inventory (NRI) (NPS 1995)
- American Rivers Outstanding List, (American Rivers, Inc. 1991)
- A Citizen's Proposal to Protect the Wild Rivers of Utah (SUWA 1997)
- Rivers identified in public scoping
- Rivers identified by federal agencies, the State of Utah, Indian tribes, local governments, and professional specialists
- Ecological Subregions of the United States (USFS 1993)

17.4.2 Input from Local Governments, Agencies, Tribes, Organizations, and the Public

In keeping with the coordinating MOU, a WSR presentation was made by the Governor's representative to the Grand County Council and the San Juan County Commission on September 27, 2002 in conjunction with the Manti-La Sal National Forest WSR eligibility process. The San Juan County Public Lands Council held a meeting at the San Juan County Courthouse on August 20, 2003. At that meeting,

the Moab FO presented preliminary eligibility findings on segments in the planning area within San Juan County. The Grand County Council held a meeting on September 10, 2003. At that meeting, the Moab FO presented preliminary eligibility findings on segments within Grand County to the Council.

Preliminary eligibility findings for the Moab FO were made available for public review and comment in September, 2003. State and local governments, Native American Tribes, organizations, cooperating federal agencies, and members of the public were asked to review the preliminary findings, provide comments related to the findings, and to identify any potentially eligible rivers or information that had been overlooked.

All comments received were carefully reviewed. Documentation of the BLM response to comments is on file at the Moab FO.

On February 23, 2004 a team meeting was held to make final determination on eligibility in light of the review comments that were received. Representatives from the State of Utah, Grand and San Juan Counties participated in the meeting.

17.4.3 Suitability Study

The 29 eligible segments will be further reviewed as to their suitability for congressional designation into the NWSRS. This will be done within the framework of the ongoing planning process for the Moab RMP, including the development of an EIS (Figure 17-1).

17.5 INTERFACE WITH AGENCIES WITH CONTIGUOUS BOUNDARIES

The Moab FO coordinated with BLM and non-BLM plans to maintain consistency in the planning process.

17.5.1 Manti-La Sal National Forest

The Manti-La Sal National Forest completed its eligibility review in March of 2003. The Forest is contiguous to both the Moab and Monticello Field Office areas (Table 17-4).

Table 17-4. Eligible Rivers/Segments of Manti-La Sal National Forest that are Contiguous with Rivers/Segments in the Moab FO Planning Area

Watercourse	ORVs	USFS River Miles	Total River Miles	Tentative Classification
Mill Creek Gorge	Scenery Geologic/Hydrologic Other Similar Values	2.57	2.57	Wild

17.5.2 Bureau of Land Management (BLM), Price Field Office

The Green River forms the Field Office boundary between the Price and Moab Field Offices. The Price Field Office in (coordination with the Moab FO) reviewed the Green River for eligibility as part of the Price Field Office RMP. The Moab RMP will carry forward eligibility findings for the Moab side of the Green River. The Price Field Office review results for this shared river are shown in Table 17-5.

Table 17-5. Preliminary Results Regarding Eligible Rivers/Segments of the BLM, Price Field Office that are Contiguous with Rivers/Segments in the Moab FO Planning Area

Watercourse and Segments	ORVs	Tentative Classification
<i>Green River</i>		
Coal Creek to Nefertiti Boat Ramp	Scenery, recreation, wildlife, historic, cultural, fish, geologic, ecologic	Wild
Nefertiti Boat Ramp to Swasey's Boat Ramp	Same as above	Recreational
Swasey's Boat Ramp to I-70 Bridge	Same as above	Recreational
I-70 Bridge to River Mile 91 below Ruby Ranch	Scenery, recreation, historic, cultural, fish, paleontology	Scenic
River Mile 91 below Ruby Ranch to Hey Joe Canyon	Scenery, recreation, historic, cultural, fish	Wild
Hey Joe Canyon to Canyonlands National Park Boundary	Same as above	Scenic

17.5.3 BLM, Monticello Field Office

The findings of *Eligible Rivers on Lands Administered by the Monticello BLM Field Office* lists 12 rivers/segments. Of these, the Colorado River from the Moab/Monticello Field Office boundary near Long Canyon to Canyonlands National Park Boundary near River Mile 34 is contiguous with the Moab FO planning area. Results of the Monticello Field Office review of the Colorado River are in Table 17-6.

Table 17-6. Comparisons of the Moab and Monticello Field Office Reviews for Colorado River Segments

Watercourse	ORVs	BLM River Miles	Total River Miles	Tentative Classification
Segment 4 – Moab and Monticello Field Office Boundary near Long Canyon to Private and State Land near Potash	Scenery, Fish, Recreation, Wildlife, Cultural, Ecological	2.2	6.2	Recreational
Segment 5 – River Mile 44.5 near State Lands to River Mile 38.5 near State Lands	Same as above	5.5	6.8	Scenic
Segment 6 – River Mile 37.5 near State Lands to River Mile 31 near Canyonlands National Park	Same as above	6.5	6.5	Wild

Note: Moab manages the north/west side of the river and Monticello manages the south/east side of the river on these segments.

17.5.4 BLM, Grand Junction Field Office

The Moab FO has entered into discussion with the BLM, Grand Junction Field Office concerning the rivers/segments connected to both field offices' areas of jurisdiction. The Grand Junction Field Office has not inventoried streams at this time, but is in agreement with the 1979 NPS study on the Colorado and Dolores Rivers. Table 17-7 details the status of river(s)/segments that flow through both field offices.

Table 17-7. Comparisons of the Moab and Grand Junction Field Office Assessments for Colorado River and Dolores River Segments

Watercourse	ORVs	Total River Miles	Tentative Classification
Colorado River, Loma Launch to Westwater Canyon	Scenery, Recreation, Geology, Fish, Wildlife, Archaeology	27.7	Scenic
Dolores River, Gateway to Fisher Creek	Scenery, Recreation, Fish, Wildlife, Geology	14.0	Scenic

17.5.5 BLM, Montrose Field Office

There are no eligible rivers/segments between the Moab and Montrose Field Offices. A copy of the Moab FO's eligibility findings have been provided to the Montrose Field Office.

17.5.6 BLM, Vernal Field Office

There are no eligible rivers/segments between the Moab and Vernal Field Offices. A copy of the Moab FO's eligibility findings have been provided to the Vernal Field Office.

17.5.7 National Park Service (NPS)

Arches and Canyonlands National Parks conducted eligibility studies in 1990. During the current WSR review, the portion of Salt Wash on BLM lands fell within the Colorado River corridor and was included as eligible within that corridor. The BLM is in agreement with Arches National Park staff that the small portion of Salt Wash flowing into the Colorado River should be included with the stretch within Arches National Park. Findings of the eligibility review of contiguous river segments are shown in Table 17-8.

Table 17-8. Comparisons of the Moab and Grand Junction Field Office Reviews for Colorado River and Salt Wash Segments

Watercourse	ORVs	BLM River Miles	NPS River Miles	Total River Miles	Tentative Classification
Colorado River, Entire Length in Canyonlands National Park	Scenery, Fish, Wildlife, Cultural, Geological, Riparian	0.00	45.00	45.00	Wild
Salt Wash, Confluence with Salt Valley Wash Downstream to Arches National Park boundary	Scenery, Fish, Wildlife, Recreation, Geologic	0.33	6.00	6.33	Wild

17.5.8 Native American Consultation

The Moab FO has initiated consultation by providing preliminary eligibility findings to Native American representatives. Native American representatives have asked to be updated during each phase of the wild and scenic review. They have not expressed concern regarding eligibility. The Moab FO will continue consultation through the suitability step of the wild and scenic review.

17.6 SUMMARY OF PRELIMINARY ELIGIBILITY DETERMINATION FOR WILD AND SCENIC RIVERS

Table 17-9 identifies 13 rivers/segments within the Moab FO planning area for which a preliminary determination of eligibility has been made. These rivers/segments are free flowing and have at least one river-related ORV.

17.7 SUMMARY

The Moab FO ID Team has established preliminary WSR eligibility determinations for 29 rivers/segments. The watercourses within the planning area were inventoried and determined to be free flowing. Each river/segment was evaluated as having at least one ORV of regional and/or national significance (rare, unique, and/or exemplary) within 0.25 mile reach of the high water mark.

As directed by the State of Utah, the next phase—the assessment of the "suitability" of eligible rivers/segments for the NWSRS—will occur within the framework of the RMP through the EIS.

Table 17-9. Moab FO Eligibility Determinations for WSRs

River	Segment	Segment Description (Approx. Length in Free-flowing BLM River Miles [BLMRM], Total River Miles [TRM])*	ORV(s)	Tentative Classification
<i>Colorado River*</i>	Segment 1	Colorado/Utah State Line to Westwater Canyon (BLMRM = 1, TRM = 6.7)	Scenery, recreation, wildlife, fish, cultural, ecological	Scenic
	Segment 2	Westwater Canyon, Mile 125, to River Mile 112 (BLMRM = 11.8, TRM = 13)	Scenery, recreation, wildlife, fish, cultural, geology, ecological	Wild
	Segment 3	River Mile 112 to Confluence with the Dolores River (BLMRM = 11.2, TRM = 15.7)	Recreation, wildlife, fish, cultural, ecological	Scenic
	Segment 4	Confluence with the Dolores River to Mile 49 near Potash (BLMRM = 32.6, TRM = 53.5)	Scenery, recreation, wildlife, fish, cultural, geology, ecological	Recreational
	Segment 5	River Mile 44.5 to Mile 38.5 State Land Boundary (BLMRM = 6.1, TRM = 6.8)	Scenery, recreation, wildlife, fish, cultural, ecological	Scenic
	Segment 6	River Mile 37.5 State Land to Mile 34 Canyonlands National Park (BLMRM = 3.8, TRM = 3.8)	Scenery, recreation, wildlife, fish, cultural, ecological	Wild
<i>Cottonwood Canyon</i>		Source near Cottonwood Point to Private Land Boundary, Including the First Half Mile of Horse Canyon (BLMRM = 10.4, TRM = 13.6)	Scenery, wildlife, ecological	Scenic
<i>Onion Creek</i>	Segment 1	Source to Onion Creek Road (BLMRM = 3.5)	Scenery, geology, ecological	Wild
	Segment 2	Beginning of Onion Creek Road to Colorado River (BLMRM = 9, TRM = 13.22)	Scenery, geology	Recreational
<i>Professor Creek</i>	Mary Jane Canyon	Forest Service and State Land Boundary to Diversion near Private Land (BLMRM = 7.4, TRM = 7.7)	Scenery, recreation	Wild
<i>Salt Wash</i>		Arches National Park Boundary to the Colorado River (BLMRM = 0.33, TRM = 6.33)	Scenery, recreation, wildlife, fish, geology	Wild
<i>Negro Bill Canyon</i>	Segment 1	From State Land below Rim to 0.25 mile from Colorado River (BLMRM = 7.2)	Scenery, recreation, ecological	Wild
	Segment 2	Last 0.25 mile to Colorado River (BLMRM = 0.25, TRM = 7.45)	Scenery, recreation, ecological	Recreational

Table 17-9. Moab FO Eligibility Determinations for WSRs

River	Segment	Segment Description (Approx. Length in Free-flowing BLM River Miles [BLMRM], Total River Miles [TRM])*	ORV(s)	Tentative Classification
<i>Mill Creek</i>	Upper	Forest Boundary to Private Property below the Diversion (BLMRM = 1.4)	Scenery, recreation, fish, cultural, ecological	Recreational
	Middle	T26 S, R23 E, Sec. 19, to Power Dam (BLMRM = 4.6, TRM = 12.6)	Scenery, recreation, fish, cultural, ecological	Scenic
<i>North Fork Mill Creek</i>		Forest Boundary near Wilson Mesa to Mill Creek (BLMRM = 11.2, TRM = 11.7)	Scenery, recreation, cultural, ecological	Wild
<i>Dolores River</i>	Segment 1	Colorado-Utah State Line to Fisher Creek (BLMRM = 5.9)	Scenery, recreation, wildlife, fish, geology, ecological	Scenic
	Segment 2	Fisher Creek to Bridge Canyon (BLMRM = 6.2)	Scenery, recreation, wildlife, fish, geology, ecological	Wild
	Segment 3	Bridge Canyon to Colorado River (BLMRM = 9.9, TRM = 23.63)	Recreation, wildlife, fish, geology, ecological	Scenic
<i>Beaver Creek</i>	Segment 1	USFS Boundary to 1 mile from Dolores River (BLMRM = 6.7)	Scenery, recreation, fish, ecological	Wild
	Segment 2	One mile to Dolores River (BLMRM = 1, TRM = 9)	Scenery, recreation, geology	Scenic
<i>Thompson Canyon</i>		Source of Thompson to Fisher Creek/Cottonwood Canyon (BLMRM = 5.5, TRM = 5.5)	Scenery, ecological	Wild

*Total Colorado River Segments 1–6 = 99.5 TRM

17.8 REFERENCES

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